

Application ref: 2024/1315/P  
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Date: 15 April 2024

**Development Management**  
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NTA Planning LLP  
46 James Street  
London  
W1U 1EZ

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990

### **Certificate of Lawfulness (Proposed) Granted**

The Council hereby certifies that the development described in the First Schedule below, on the land specified in the Second Schedule below, would be lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 as amended.

First Schedule:

Amalgamation of the ground and lower ground floors of 115, 117, 119 and 121 Finchley Road to create a single use as a gymnasium (Class E use).

Drawing Nos: (TP)\_001; (TP)\_002, (EX)\_100; (GA)\_099; Cover letter ref:1257 dated 3 April 2024; Application form.

Second Schedule:

**115 - 121  
Finchley Road  
London  
NW3 6HY**

Reason for the Decision:

- 1 The change of use would be for a purpose of the same use class (Use Class E), and so would not constitute "development" as defined by Section 55 of the Town & Country Planning Act 1990, and therefore would not require planning permission.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', written in a cursive style.

Daniel Pope  
Chief Planning Officer

#### Notes

1. This certificate is issued solely for the purpose of Section 192 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the use\*/operations\*/matter\* specified in the First Schedule taking place on the land described in the Second Schedule was\*/would have been\* lawful on the specified date and thus, was not\*/would not have been\* liable to enforcement action under Section 172 of the 1990 Act on that date.
3. This Certificate applies only to the extent of the use\*/operations\*/matter\* described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use\*/operations\*/matter\* which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.
4. The effect of the Certificate is also qualified by the provision in Section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.